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REMARKS

Claims 1-16 are pending in this application. The Applicants have amended claims 1, 2, 12 and 16. The amendments to claims 1, 2 and 12 were made to correct typographical errors. Support for the amendment to claim 16 can be found in the specification at page 9, lines 25-28.

The Applicants have withdrawn claim 14, without prejudice.

Upon entry of the present amendment, claims 1-12, 13, 15 and 16 are pending in this application and claim 14 has been withdrawn.

I. Election/Restrictions

Restriction to one of the following inventions was required under 35 U.S.C. §121:

- I. Claims 1-12, 13, 15 and 16, drawn to a compound and a pharmaceutical composition according to formula I; or
- II. Claim 14, drawn to a method for the treatment of disease conditions caused by overactivation of NMDA NR2B receptor using a compound of formula I.

The Applicants hereby elect Group I for prosecution on the merits without traverse. As such, the Applicants hereby withdraw from prosecution, claim 14, directed to the non-elected subject matter, without prejudice. The Applicants respectfully reserve the right to file a Divisional application(s) to the non-elected subject matter.

Applicants were also required to elect a single disease state. The Applicants hereby elect pain as the disease state.

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II. Conclusion

Upon entry of the present amendment, the Applicants submit that this application is now in condition for allowance, which allowance is respectfully solicited.

If the Examiner believes that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at 734-622-2658.

Respectfully submitted,

Dated

June 22, 2005

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